

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

- against -

98 Cr. 1023 (LAK)

AHMED KHAFLAN GHAILANI,

NOTICE OF MOTION

Defendant.

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PLEASE TAKE NOTICE, that upon the annexed affirmation of Steve Zissou, Esq., the Exhibits attached and annexed thereto, the accompanying Memorandum of Law, and all prior papers and proceedings herein, the defendant, Ahmed Khaflan Ghailani, will move before the Honorable Lewis A. Kaplan, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York on or about March 26, 2010, at 9:30 a.m., or as soon thereafter as counsel may be heard, for the following relief:

- I. Motion to dismiss indictment based upon outrageous governmental conduct in violation of the defendant's Fifth Amendment Right to Due Process;
- II. Suppression and/or preclusion of all statements made by the defendant following his arrest on or about July 24, 2004;
- III. An order directing the Government to identify any and all witnesses that they learned of during the interrogation of the defendant;
- IV. An order directing the Government to specify all evidence that is subject to suppression and/or preclusion as a result of the unlawful interrogation of the defendant;
- V. The use a jury questionnaire, individual sequestered and attorney conducted voir dire pursuant to Rule 24 of the Federal Rules of Criminal Procedure; and

any and all further relief as this Court deems just and proper.

Dated: New York, New York
March 26, 2010

/S/

STEVE ZISSOU, ESQ.
MICHAEL K. BACHRACH, ESQ.
PETER ENRIQUE QUIJANO, ESQ.

To: CLERK OF THE COURT
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK